

DNREC, DDA prepare to respond to Delaware Supreme Court's Dec. 7 decision allowing firearms in state parks and forests

DOVER – The Delaware Supreme Court, by decision dated Dec. 7, 2017 in the matter of *Bridgeville Rifle & Pistol Club, LTD*, overturned a Superior Court ruling and ended a ban on visitors' possessing firearms in Delaware's state parks and state forests. Pursuant to the ruling, visitors may now possess firearms unless they are prohibited by law due to a past conviction for a violent crime, active Protection from Abuse Order, or mental health commitment. Following the Court's decision to invalidate the existing regulations limiting firearms in state parks and forests, and some Division of Fish & Wildlife properties, the Delaware Department of Natural Resources and Environmental Control and the Delaware Department of Agriculture anticipate issuing interim firearm regulations early next week. The interim regulations would respect the State Constitutional provisions on firearms cited by the Court, by implementing the State's interest in ensuring the safety of the public in a less restrictive manner.

The State anticipates that these interim regulations would prohibit firearms in certain public facilities and designated areas – including park offices, visitors' centers, bathhouses, zoos, educational facilities, dormitories, group camping areas, swimming pools, guarded beaches, stadiums and water parks. In addition, the regulations would allow holders of valid Delaware concealed carry permits to carry within parks, including designated areas. The regulations would further

allow active-duty law enforcement officers and qualified retired officers to carry anywhere within the parks and other areas affected by Supreme Court decision.

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